

## COUNTY COUNSEL

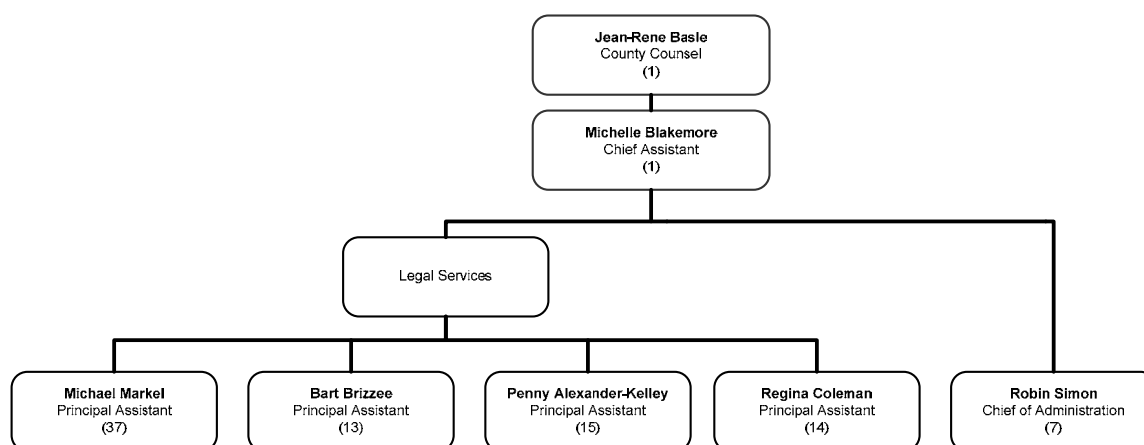
### Jean-Rene Basle

#### MISSION STATEMENT

*County Counsel serves and protects the County, its treasury, and its governing body by providing timely and accurate legal services and aggressively representing the County in litigation. Legal services shall be performed maintaining the highest professional and ethical standards while fostering high morale and productivity in the work place through collaborative efforts dedicated to continuous improvement.*



#### ORGANIZATIONAL CHART



#### 2010-11 AND 2011-12 ACCOMPLISHMENTS

- Assisted in the redistricting of the County Supervisorial Districts.
- Prepared Ordinances on a variety of issues including:
  - Land Use Mountain Parking
  - Fire Business Plan exemption for Helium and Carbon Dioxide
  - Boating Waterways
  - Municipal Advisory Councils
- Provided assistance in transitioning Redevelopment Agencies.
- Achieved a near perfect success rate in defending the dozens of administrative citations issued in regard to illegal medical marijuana dispensaries and in defending the County's regulations from additional legal challenges.
- Provided assistance on the redrafting of County Policy 02-18, the Board Discretionary Funding Allocations policy.
- Provided legal guidance regarding solar farm developments being proposed throughout the County, including those within the jurisdiction of the California Energy Commission.
- Drafted new County Policy 08-17, regarding the naming of County facilities or County-funded facilities or events.
- Provided legal support to the team formulating the County's Greenhouse Gas Emissions Reduction Plan.
- Had a favorable appeals court outcome published (County of San Bernardino v. Workers' Compensation Appeals Board) which clarified the good faith personnel action defense in favor of employers.
- Opened 1,043 juvenile dependency cases and 179 appeals.



**GOALS, OBJECTIVES, AND PERFORMANCE MEASURES****GOAL 1: PROVIDE ACCURATE, TIMELY AND RELIABLE LEGAL ADVICE TO CLIENTS TO ASSIST THEM TO ACHIEVE THEIR OBJECTIVES.**

*Objective: Respond to requests for other legal services, including drafting of legal analysis, by agreed upon target date.*

Measurement	2009-10 Actual	2010-11 Actual	2011-12 Target	2011-12 Actual	2012-13 Target
Percentage of clients who ranked service they receive from County Counsel as satisfactory or above.	95%	100%	97%	97%	98%

**SUMMARY OF BUDGET UNITS**

2012-13						
	Appropriation	Revenue	Net County Cost	Fund Balance	Net Budget	Staffing
<b><u>General Fund</u></b>						
County Counsel	8,551,502	5,444,400	3,107,102			88
Total General Fund	8,551,502	5,444,400	3,107,102			88

**5-YEAR APPROPRIATION TREND**

	2008-09	2009-10	2010-11	2011-12	2012-13
County Counsel	10,600,311	8,343,431	9,111,036	8,476,960	8,551,502
<b>Total</b>	<b>10,600,311</b>	<b>8,343,431</b>	<b>9,111,036</b>	<b>8,476,960</b>	<b>8,551,502</b>

**5-YEAR REVENUE TREND**

	2008-09	2009-10	2010-11	2011-12	2012-13
County Counsel	5,080,585	5,597,616	5,850,483	6,154,250	5,444,400
<b>Total</b>	<b>5,080,585</b>	<b>5,597,616</b>	<b>5,850,483</b>	<b>6,154,250</b>	<b>5,444,400</b>

**5-YEAR NET COUNTY COST TREND**

	2008-09	2009-10	2010-11	2011-12	2012-13
County Counsel	5,519,726	2,745,815	3,260,553	2,322,710	3,107,102
<b>Total</b>	<b>5,519,726</b>	<b>2,745,815</b>	<b>3,260,553</b>	<b>2,322,710</b>	<b>3,107,102</b>



## County Counsel

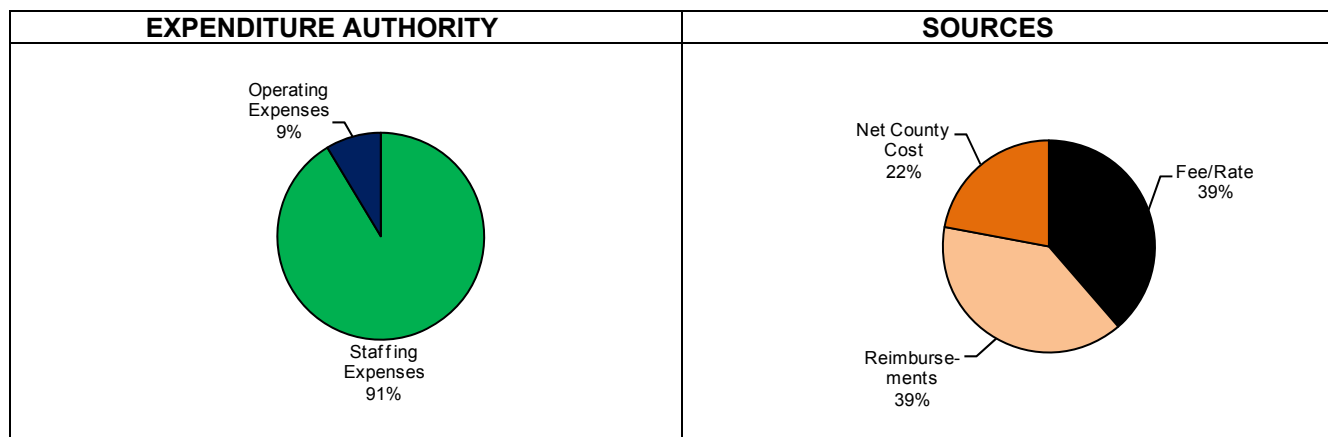
### DESCRIPTION OF MAJOR SERVICES

County Counsel provides civil legal services to the Board of Supervisors, the County Administrative Office, County departments, commissions, special districts, and school districts. County Counsel also provides legal services to various joint powers authorities and represents the courts and judges on certain matters.

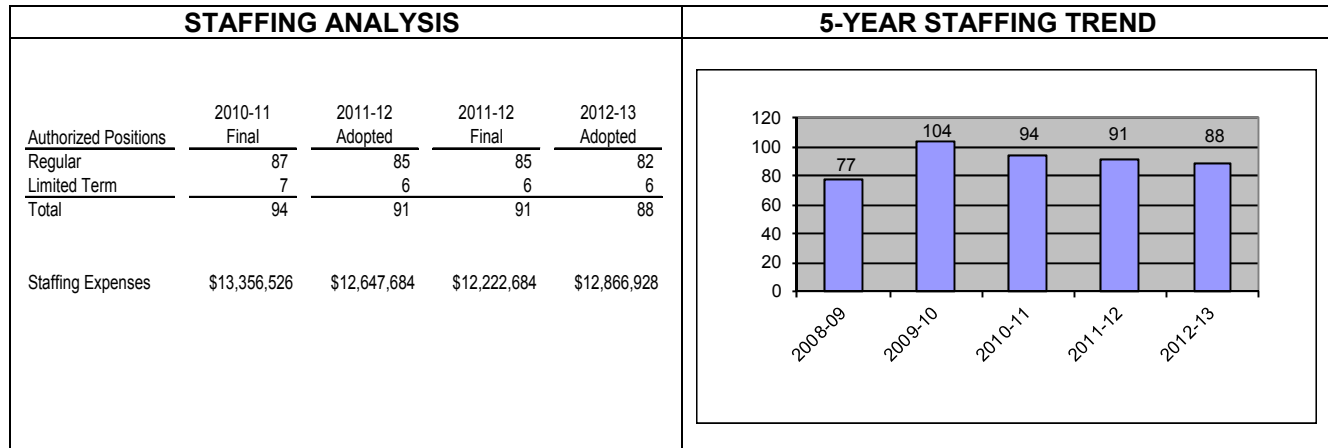
#### Budget at a Glance

Total Expenditure Authority	\$14,083,462
Total Sources	\$10,976,360
Net County Cost	\$3,107,102
Total Staff	88
Funded by Net County Cost	22%

### 2012-13 ADOPTED BUDGET



### BUDGETED STAFFING



**ANALYSIS OF 2012-13 ADOPTED BUDGET**

**GROUP:** Administration  
**DEPARTMENT:** County Counsel  
**FUND:** General

**BUDGET UNIT:** AAA CCL  
**FUNCTION:** General  
**ACTIVITY:** Counsel

	2008-09 Actual	2009-10 Actual	2010-11 Actual	2011-12 Actual	2011-12 Final Budget	2012-13 Adopted Budget	Change From 2011-12 Final Budget
<b>Appropriation</b>							
Staffing Expenses	12,142,068	11,177,755	13,356,526	12,219,215	12,222,684	12,866,928	644,244
Operating Expenses	1,410,869	729,030	847,720	1,656,726	1,659,309	1,216,534	(442,775)
Capital Expenditures	0	0	0	0	0	0	0
Contingencies	0	0	0	0	0	0	0
Total Exp Authority	13,552,937	11,906,785	14,204,246	13,875,941	13,881,993	14,083,462	201,469
Reimbursements	(3,038,231)	(3,576,956)	(5,095,035)	(5,409,375)	(5,405,033)	(5,531,960)	(126,927)
Total Appropriation	10,514,706	8,329,829	9,109,211	8,466,566	8,476,960	8,551,502	74,542
Operating Transfers Out	0	0	0	0	0	0	0
Total Requirements	10,514,706	8,329,829	9,109,211	8,466,566	8,476,960	8,551,502	74,542
<b>Departmental Revenue</b>							
Taxes	0	0	0	0	0	0	0
Realignment	0	0	0	0	0	0	0
State, Fed or Gov't Aid	0	0	0	0	0	0	0
Fee/Rate	5,038,084	5,596,036	5,849,925	6,145,211	6,144,500	5,443,650	(700,850)
Other Revenue	751	1,580	606	9,653	9,750	750	(9,000)
Total Revenue	5,038,835	5,597,616	5,850,531	6,154,864	6,154,250	5,444,400	(709,850)
Operating Transfers In	0	0	0	0	0	0	0
Total Sources	5,038,835	5,597,616	5,850,531	6,154,864	6,154,250	5,444,400	(709,850)
Net County Cost	5,475,871	2,732,213	3,258,680	2,311,702	2,322,710	3,107,102	784,392
Budgeted Staffing					91	88	(3)

**BUDGET CHANGES AND OPERATIONAL IMPACT**

In the Fourth Quarter of 2011-12, due to a change in billing methodology, payments from other departments for legal expenses incurred on their behalf were changed from an abatement of expense to a revenue or reimbursement. This procedural change resulted in an increase to operating expenses of \$500,000 and an increase to revenue/reimbursements of \$300,000 and \$200,000, respectively. In addition, appropriation for staffing expenses was reduced by \$425,000 due to vacant position salary savings, and revenue was increased by \$460,000 as a result of legal services provided to San Bernardino Associated Governments (SANBAG) and the Department of Children and Family Services. These adjustments resulted in a net decrease of \$885,000 in net county cost for 2011-12.

The \$644,244 increase in staffing expenses for 2012-13 reflects appropriation for vacant positions that was reduced in the Fourth Quarter of 2011-12, increases to retirement and other benefit costs. In addition, the 2012-13 budget does not include the changes in billing methodology mentioned above, which will be recommended in the First Quarter Budget Report, and result in a \$500,000 increase to operating expenses and a \$500,000 increase to revenue/reimbursements.

**MAJOR EXPENDITURES AND REVENUE IN 2012-13 ADOPTED BUDGET**

Staffing expenses of \$12,866,928 fund 88 budgeted positions, of which 82 are regular positions and 6 are limited term. Operating expenses of \$1,216,534 primarily represent costs to provide adequate legal services. Departmental revenue and reimbursements combine for a total of \$10,976,360 which represents fees for services provided to County departments, commissions, special districts, school districts and other County Counsel clients.



## STAFFING CHANGES AND OPERATIONAL IMPACT

For 2012-13, County Counsel is eliminating the following 4 vacant positions: 1 County Counsel Lead Secretary, 2 Principal Assistant County Counsels, and 1 County Counsel (the County Counsel position was only budgeted last year due to exhausting leave balances prior to retirement); and has added 1 Deputy County Counsel IV position to help reduce costs and better meet client needs. In addition, the organizational structure of the department has been revised to better reflect the actual level of responsibility for the Principal Assistant County Counsel positions.

## 2012-13 POSITION SUMMARY

Division	Regular	Limited Term	Total	Filled	Vacant	New	Total
Administration/Fiscal	8	1	9	9	0	0	9
Legal Services	74	5	79	75	3	1	79
Total	82	6	88	84	3	1	88

Administration/Fiscal		Legal Services	
Classification		Classification	
1	County Counsel	4	Principal Assistant County Counsel
1	Chief Assistant County Counsel	3	Extra Help Principal Assistant
1	Chief of County Counsel Admin	37	Deputy County Counsel
1	Executive Secretary III	2	Extra Help Deputy County Counsel
1	Extra Help Executive Secretary II	1	Research Attorney II
1	Executive Secretary I	8	County Counsel Paralegals
1	Accounting Technician	2	Lead Secretary
1	Fiscal Assistant	16	Executive Secretary II
1	Office Assistant III	1	Office Assistant IV
9	Total	5	Office Assistant III
		79	Total

